

SENATE BILL REPORT

SB 5320

As Passed Senate, March 4, 2009

Title: An act relating to modifying the name of and titles within the acupuncture profession.

Brief Description: Modifying the name of and titles within the acupuncture profession.

Sponsors: Senators Murray, Kohl-Welles and Shin.

Brief History:

Committee Activity: Health & Long-Term Care: 2/16/09, 2/18/09 [DP].

Passed Senate: 3/04/09, 47-1.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Becker, Murray and Parlette.

Staff: Edith Rice (786-7444)

Background: Acupuncture is defined under current state law as "a health care service based on an Oriental system of medical theory utilizing Oriental diagnosis and treatment to promote health and treat organic or functional disorders by treating specific acupuncture points or meridians." The practice of acupuncture and acupuncturists has been regulated in Washington State since 1985. The Secretary of the Department of Health (DOH) is currently responsible for regulating the practice of acupuncture including applications for licensure, examinations, training requirements, and discipline under the Uniform Disciplinary Act. The Secretary can appoint members of the profession to serve on an ad hoc advisory committee to assist the Secretary in regulating the acupuncture profession.

Summary of Bill: The term "acupuncture" is replaced by the terms "oriental medicine." "Acupuncturist" is replaced by "Oriental medicine practitioner." "Oriental medicine" is defined as "a health care service based on an Oriental system of medical theory utilizing Oriental diagnosis and treatment to promote health and treat organic or functional disorders. Oriental medicine is also commonly known as acupuncture, traditional Chinese medicine, traditional Oriental medicine or east Asian medicine." Individuals licensed as acupuncturists must be given the title Oriental medicine practitioner at the time of their next license renewal. The Secretary of the DOH has authority to regulate the practice of Oriental medicine.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Secretary of DOH appoints an Oriental Medicine Advisory Committee of five members. One member must be appointed from the public at large, the remaining four members must be licensed under this chapter and have not less than five years experience in Oriental medicine practice. The Secretary may request advice from the advisory committee regarding licensure, rule development, and standards of Oriental medicine care.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Oriental medicine is the appropriate term to use. It does not expand the scope of practice but more accurately describes what we do. Acupuncture is one modality. This change will create clarity with the DOH for what we do. We are behind what other states do.

CON: We have concerns about practitioners needing a back-up relationship with a physician. There needs to still be a definition of acupuncture in the law.

Persons Testifying: PRO: Leslie Emerick, George Whiteside, President, Washington Acupuncture and Oriental Medicine Association; Ezra Eickmeyer, Oriental Medicine Advocates, J. Miranda Taylor, L. Ac.

CON: Carl Nelson, Washington State Medical Association.